

**Senator Wayne A. Harper** proposes the following substitute bill:

**CAREGIVER COMPENSATION AMENDMENTS**

2019 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Wayne A. Harper**

House Sponsor: Christine F. Watkins

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**LONG TITLE**

**General Description:**

This bill requires the Department of Health to provide a report relating to reimbursement for certain personal care services under Medicaid.

**Highlighted Provisions:**

This bill:

- ▶ defines terms; and
- ▶ requires the Department of Health to provide a report relating to implementation of a program to reimburse a caregiver who provides extraordinary personal care services to a family member who is enrolled in an existing waiver to the state Medicaid plan.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**63I-1-226**, as last amended by Laws of Utah 2018, Third Special Session, Chapter 1

ENACTS:



26 [26-18-419.1](#), Utah Code Annotated 1953

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28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **26-18-419.1** is enacted to read:

30 **26-18-419.1. Medicaid waiver expansion for extraordinary care reimbursement.**

31 (1) As used in this section, "personal care services" means the same as that term is  
32 defined in 42 U.S.C. Sec. 1397g(b)(6)(B).

33 (2) The department shall:

34 (a) develop a proposal to allow the state Medicaid program to reimburse an individual  
35 who provides personal care services that constitute extraordinary care to the individual's family  
36 member who is enrolled in an existing waiver in the state; and

37 (b) before November 30, 2019, report to the Social Services Appropriations  
38 Subcommittee and the Health and Human Services Interim Committee regarding the proposal  
39 described in this Subsection (2) and any recommendations for implementation of the proposal.

40 (3) In developing the proposal described in Subsection (2), the department shall:

41 (a) review statutes, policies, and programs in other states relating to reimbursement to  
42 an individual who provides personal care services that constitute extraordinary care to the  
43 individual's family member; and

44 (b) consult with:

45 (i) the Department of Human Services; and

46 (ii) other stakeholders, as determined by the department.

47 Section 2. Section **63I-1-226** is amended to read:

48 **63I-1-226. Repeal dates, Title 26.**

49 (1) Section [26-1-40](#) is repealed July 1, 2019.

50 (2) Title 26, Chapter 9f, Utah Digital Health Service Commission Act, is repealed July  
51 1, 2025.

52 (3) Section [26-10-11](#) is repealed July 1, 2020.

53 (4) Subsection [26-18-417\(3\)](#) is repealed July 1, 2020.

54 (5) Section [26-18-419.1](#) is repealed December 31, 2019.

55 ~~(5)~~ (6) Title 26, Chapter 33a, Utah Health Data Authority Act, is repealed July 1,  
56 2024.

57            [~~(6)~~] (7) Title 26, Chapter 36b, Inpatient Hospital Assessment Act, is repealed July 1,  
58 2024.

59            [~~(7)~~] (8) Title 26, Chapter 36c, Medicaid Expansion Hospital Assessment Act, is  
60 repealed July 1, 2024.

61            [~~(8)~~] (9) Title 26, Chapter 36d, Hospital Provider Assessment Act, is repealed July 1,  
62 2019.

63            [~~(9)~~] (10) Title 26, Chapter 56, Hemp Extract Registration Act, is repealed January 1,  
64 2019.

65            [~~(10)~~] (11) Title 26, Chapter 63, Nurse Home Visiting Pay-for-Success Program, is  
66 repealed July 1, 2026.